

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

NADINE MACALUSO, et al.,

Plaintiff,

vs.

SBP PROPERTY INVESTMENTS, INC., et al.,

Defendants.

Case No.: 2:05-cv-01547-KJD-GWF

ORDER

**(Defendants' Emergency Motion to
Compel - #62)**

**(Defendants' Emergency Motion to
Compel Appearance at Deposition - #66)**

This matter is before the Court on Defendants' Emergency Motion to Compel Plaintiffs' Responses to Written Discovery Requests (#62), filed May 4, 2007; Plaintiffs' Opposition to Designation of Defendants' Motion to Compel as "Emergency Motion" (#63), filed May 7, 2007; Plaintiffs' Opposition to Motion Compel (#65), filed May 22, 2007; and Defendants' Reply in Support of Defendants' Emergency Motion to Compel Plaintiffs' Responses to Written Discovery Requests (#70), filed May 24, 2007.

Also before the Court is Defendants' Emergency Motion to Compel Appearance at Deposition (#66), filed May 23, 2007 and Plaintiffs' Opposition to Defendants' Motion to Compel Appearance at Deposition (#71), filed May 24, 2007. The Court conducted a hearing on these matters on May 25, 2007. After considering the papers submitted by the parties, as well as oral argument by counsel, the matter having been submitted following argument for decision, and good cause appearing

IT IS HEREBY ORDERED that Defendants' Emergency Motion to Compel Plaintiffs' Responses to Written Discovery Requests (#62) is **denied**, without prejudice.

1 **IT IS FURTHER ORDERED** that Defendants' Emergency Motion to Compel Appearance at
2 Deposition (#66) is **granted**. The deposition of Mr. Benedict will be conducted via video conference
3 and the parties shall split the cost.

4 DATED this 4th day of June, 2007.

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8 GEORGE FOLEY, JR.
9 U.S. MAGISTRATE JUDGE
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